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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ARTISAN MANUFACTURING CORPORATION, : Civil Action No.: 07 CV 11278

Plaintiff,

- against -

ALL GRANITE & MARBLE CORPORATION.,

Defendant.

x

x

**DECLARATION OF JOHN MALTBIE IN FURTHER SUPPORT OF PLAINTIFFS'
MOTION FOR A PRELIMINARY INJUNCTION**

EXHIBIT J

Page 1

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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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ARTISAN MANUFACTURING
CORPORATION,

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Plaintiff,

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vs.

) 07-cv-11278 (WHP)

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ALL GRANITE & MARBLE
CORPORATION,

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Defendant.

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DEPOSITION OF
PIOTR "ALEX" OREZIAK
Parsippany, New Jersey
Monday, February 11, 2008

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23 Reported by:

FRANCIS X. FREDERICK, CSR, RPR, RMR
JOB NO. 15245A

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<p style="text-align: center;">Page 2</p> <p>1 2 3 4 5 February 11, 2008 6 10:10 a.m. 7 8 9 Deposition of PIOTR "ALEX" 10 OREZIAK, held at the offices of Hoffmann 11 & Baron, 6 Campus Drive, Parsippany, New 12 Jersey, pursuant to Notice, before 13 Francis X. Frederick, a Certified 14 Shorthand Reporter, Registered Merit 15 Reporter and Notary Public of the States 16 of New York and New Jersey. 17 18 19 20 21 22 23 24 25</p> <p>TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: center;">Page 3</p> <p>1 2 APPEARANCES: 3 4 ARNOLD & PORTER 5 Attorneys for Plaintiff 6 399 Park Avenue 7 New York, New York 10022-4690 8 BY: JOHN MALTBIE, ESQ. 9 10 HOFFMANN & BARON, LLP 11 Attorneys for Defendant 12 6 Campus Drive 13 Parsippany, New Jersey 07054 14 BY: JON A. CHIODO, ESQ. 15 16 17 18 19 20 21 22 23 24 25</p> <p>TSG Reporting - Worldwide 877-702-9580</p>
<p style="text-align: center;">Page 4</p> <p>1 2 P. OREZIAK 3 PIOTR "ALEX" OREZIAK, 4 called as a witness, having been duly 5 sworn by a Notary Public, was examined 6 and testified as follows: 7 EXAMINATION BY 8 MR. MALTBIE: 9 Q. Good morning. My name is John 10 Maltbie. I'm an attorney with the law firm of 11 Arnold & Porter. My firm represents Artisan 12 Corp., the manufacturer and distributor of 13 Artisan brand sinks, in connection with a 14 lawsuit that's been filed against All Granite 15 & Marble Corporation. 16 A. Alex, we were just introduced a 17 second ago but if you could kindly state your 18 full name and residential address for the 19 record I'd appreciate it. 20 A. It's Piotr, but it's spelled in 21 Polish P-I-O-T-R, Oreziak. The address is 131 22 Barnosky Court in South Plainfield. 23 Q. Sorry. Your last name is? 24 A. Oreziak, O-R-E-Z- as in 25 Zach I-A-K. 26 Q. Thank you. And is there any</p> <p>TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: center;">Page 5</p> <p>1 2 P. OREZIAK 3 particular reason you go by Alex? 4 A. When I was employed a couple years 5 back there was a Peter in the office already 6 so it's just Alex. You know, it just stayed 7 that way for many, many years. 8 Q. Okay. 9 Prior to today, have you ever been 10 deposed or given testimony in connection with 11 a legal matter? 12 A. No. 13 Q. What I'd like to do to begin is 14 just to go over some of the ground rules for 15 you, how we're going to operate over the next 16 hour or so. I'll be asking you a series of 17 questions regarding your knowledge of the 18 facts and circumstances concerning All 19 Granite's promotion and use of sinks in 20 connection with its countertop installation 21 services. It's your obligation to answer my 22 questions truthfully and to the best of your 23 ability. 24 Do you understand that? 25 A. Yes. 26 Q. In the event you do not understand</p> <p>TSG Reporting - Worldwide 877-702-9580</p>

<p style="text-align: right;">Page 6</p> <p>1 P. OREZIAK</p> <p>2 a question I ask please let me know and I'll 3 rephrase it.</p> <p>4 A. Okay.</p> <p>5 Q. Also if you need a question 6 repeated let me know and we'll have the court 7 reporter who's seated here between us read it 8 back, okay?</p> <p>9 A. Sure.</p> <p>10 Q. It's important, because we have a 11 court reporter here and he's taking down a 12 written record of everything we say, that you 13 provide verbal answers to my questions. A nod 14 or a gesture can't be accurately recorded, 15 okay?</p> <p>16 A. Okay.</p> <p>17 Q. If you need to take a break at any 18 time please let me know and we'll do that. 19 The only request I have is that you not ask to 20 take a break while a question is pending.</p> <p>21 A. Okay.</p> <p>22 Q. And I guess as we move forward it 23 would be best if you wait for me to finish a 24 question before you start to answer and I'll 25 try to wait till you finish your answer before</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 7</p> <p>1 P. OREZIAK</p> <p>2 I start my next question. Understood?</p> <p>3 A. Yes.</p> <p>4 Q. Okay, great.</p> <p>5 And, Mr. Oreziak, is there any 6 reason why you would not be able to testify 7 truthfully today?</p> <p>8 A. No.</p> <p>9 Q. And just to clarify an issue with 10 respect to language, is English your first 11 language?</p> <p>12 A. No.</p> <p>13 Q. And what's your first language?</p> <p>14 A. Polish.</p> <p>15 Q. And were you born in Poland?</p> <p>16 A. Yes.</p> <p>17 Q. And how long have you been in the 18 United States?</p> <p>19 A. Well, I -- all together?</p> <p>20 Q. Sure.</p> <p>21 A. Thirteen, 14 years.</p> <p>22 Q. And what is the highest level of 23 schooling that you've completed?</p> <p>24 A. I went to college in Poland.</p> <p>25 Bachelor's.</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>
<p style="text-align: right;">Page 8</p> <p>1 P. OREZIAK</p> <p>2 Q. College in Poland? I'm sorry?</p> <p>3 A. Yes.</p> <p>4 Q. Have you attended any schooling 5 here in the United States?</p> <p>6 A. Yes. I went to junior high school 7 for a year. In Queens, New Jersey -- uh, New 8 York.</p> <p>9 Q. And do you feel comfortable 10 answering my questions in English?</p> <p>11 A. Yes.</p> <p>12 Q. Mr. Oreziak, did you speak with 13 anyone other than your attorney in 14 anticipation or preparation for your testimony 15 here this morning?</p> <p>16 A. This morning, yes.</p> <p>17 Q. Who did you speak to?</p> <p>18 A. Robert.</p> <p>19 Q. And when did you speak with 20 Robert?</p> <p>21 A. When I arrived over here.</p> <p>22 Q. And prior to today did you speak 23 with Robert at any time about your testimony?</p> <p>24 A. Um-hum.</p> <p>25 Q. And when was that?</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 9</p> <p>1 P. OREZIAK</p> <p>2 A. Well -- he told me that I have to 3 come over here so we talked for a while.</p> <p>4 Q. And do you recall when he first 5 told you that you had to come here?</p> <p>6 A. No. Not exactly. I don't have 7 the exact date if that's what you're asking.</p> <p>8 Q. Was it last week? The week 9 before? Do you recall approximately how long 10 ago?</p> <p>11 A. I think it was last week. Last 12 week, I guess.</p> <p>13 Q. And what did he tell you about why 14 you would have to come here?</p> <p>15 A. I have to testify. Basically that 16 we're being sued for the sinks. That's all I 17 know.</p> <p>18 Q. Did he explain any further about 19 the lawsuit?</p> <p>20 A. Well, generally, I mean, I guess. 21 I mean, I don't have -- we know -- yeah, you 22 could say that.</p> <p>23 Q. And what did he tell you about 24 that lawsuit?</p> <p>25 A. Well, that I have to testify.</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>

<p style="text-align: right;">Page 10</p> <p>1 P. OREZIAK 2 That also Peter and Chris had to come down 3 over here. We'll be asked a series of 4 questions. You know, and just say the truth. 5 That's it.</p> <p>6 Q. And you mentioned Peter and Chris. 7 Who are they?</p> <p>8 A. Peter is a sales rep, same as 9 Chris. His real name is Daniel.</p> <p>10 Q. And do Peter and Chris work for 11 you?</p> <p>12 A. They work in the South Plainfield 13 office, yes.</p> <p>14 Q. And what is your understanding of 15 Robert's position?</p> <p>16 A. Well, he's the marketing director, 17 basically.</p> <p>18 Q. So is it correct to say that you 19 had two conversations with Robert about your 20 testimony here today?</p> <p>21 A. You could say that.</p> <p>22 Q. Is that correct or --</p> <p>23 A. Um-hum.</p> <p>24 Q. Yes?</p> <p>25 A. I mean, he called me before I came</p> <p>TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 11</p> <p>1 P. OREZIAK 2 down over here once. And he told me on the 3 cell phone that I have to come down over here. 4 And then I spoke to him -- this is the second 5 time I spoke to him today.</p> <p>6 Q. What is your understanding of the 7 allegations in this lawsuit?</p> <p>8 A. Well, basically I understand that 9 Artisan is suing us that we're selling their 10 sinks which is not true.</p> <p>11 Q. Anything else?</p> <p>12 A. Just that.</p> <p>13 Q. Were you instructed to collect any 14 documents relating to this lawsuit?</p> <p>15 A. No.</p> <p>16 Q. Do you know if any other All 17 Granite employees were asked to search for 18 documents in connection with this lawsuit?</p> <p>19 A. I don't know.</p> <p>20 Q. Did you review any documents in 21 preparation for your testimony here today?</p> <p>22 A. No.</p> <p>23 Q. Did Robert show you any documents?</p> <p>24 A. In regards to -- I'm not quite 25 sure. I mean, could you clarify the question?</p> <p>TSG Reporting - Worldwide 877-702-9580</p>
<p style="text-align: right;">Page 12</p> <p>1 P. OREZIAK 2 Q. Did he show you any of the 3 Complaint, for instance, in this action?</p> <p>4 A. No.</p> <p>5 Q. Did he show you an investigator's 6 report in connection with this action?</p> <p>7 A. No.</p> <p>8 Q. Are you aware that there is an 9 investigator's report in connection with this 10 action?</p> <p>11 A. No.</p> <p>12 Q. Have you heard that a private 13 investigator was hired to make a purchase at 14 the South Plainfield location of All Granite?</p> <p>15 A. Yes.</p> <p>16 Q. And who told you that?</p> <p>17 A. Robert.</p> <p>18 Q. When did he tell you that?</p> <p>19 A. The first time.</p> <p>20 Q. Mr. Oreziak, you are currently 21 employed by All Granite; is that correct?</p> <p>22 A. Yes.</p> <p>23 Q. And how would you describe the 24 nature of All Granite's business?</p> <p>25 A. We're granite and marble</p> <p>TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 13</p> <p>1 P. OREZIAK 2 fabricators. We install counters, fireplace 3 surrounds.</p> <p>4 Q. Did you speak to either Chris or 5 Peter about their testimony?</p> <p>6 A. For a second, yes.</p> <p>7 Q. When did that conversation take 8 place?</p> <p>9 A. When they came -- when I -- when 10 they were here. I think -- what was that? 11 Thursday or Friday.</p> <p>12 Q. Thursday?</p> <p>13 A. Thursday. After they came back to 14 the office.</p> <p>15 Q. Did you speak to them prior to 16 that?</p> <p>17 A. In regards to --</p> <p>18 Q. In regards to this action.</p> <p>19 A. I told them -- because Robert told 20 me that the three of us will have to come down 21 over here to testify. I did talk to them 22 about that, yes.</p> <p>23 Q. And what did you say to them?</p> <p>24 A. That they have to come down over 25 here and that they will probably talk to</p> <p>TSG Reporting - Worldwide 877-702-9580</p>

<p style="text-align: right;">Page 14</p> <p>1 P. OREZIAK</p> <p>2 Robert about any other more details.</p> <p>3 Q. Did you discuss with them the</p> <p>4 allegations in this lawsuit?</p> <p>5 A. No.</p> <p>6 Q. Mr. Oreziak, how long have you</p> <p>7 been employed by All Granite?</p> <p>8 A. Five and a half years.</p> <p>9 Q. And do you have a title?</p> <p>10 A. Yes. Manager.</p> <p>11 Q. And as manager what do your duties</p> <p>12 and responsibilities include?</p> <p>13 A. Well, basically project manager.</p> <p>14 So I make sure all the technical details for</p> <p>15 the fabrications are correct. I'm also in the</p> <p>16 sales office. I'm responsible for the sales</p> <p>17 office. And I also -- I take care of the</p> <p>18 insurance. I'm also the benefits</p> <p>19 administrator.</p> <p>20 Q. Are there any other managers in</p> <p>21 the South Plainfield location?</p> <p>22 A. You could say Daniel is a manager.</p> <p>23 He's second after me. If I'm not there for</p> <p>24 any reason, he can take part of the</p> <p>25 responsibilities.</p>	<p style="text-align: right;">Page 15</p> <p>1 P. OREZIAK</p> <p>2 Q. And when you say Daniel you're not</p> <p>3 talking about the Daniel that's Chris?</p> <p>4 A. No, no. There's another Daniel.</p> <p>5 Yeah, yeah.</p> <p>6 Q. So would you say that you are the</p> <p>7 person in charge of the day-to-day activity at</p> <p>8 the South Plainfield location?</p> <p>9 A. You could say that, yes.</p> <p>10 Q. And who do you report to, if</p> <p>11 anyone?</p> <p>12 A. Well, the owner. And Marian who's</p> <p>13 the guy basically in charge of the location.</p> <p>14 That's the owner's brother.</p> <p>15 Q. Myron is it?</p> <p>16 A. It's spelled M-A-R-I-A-N. Marian.</p> <p>17 Q. And who's the owner?</p> <p>18 A. Richard.</p> <p>19 Q. And do Richard or Marian regularly</p> <p>20 work out of the South Plainfield location?</p> <p>21 A. Richard doesn't, no. He's in</p> <p>22 Ridgefield Park. Marian is in South</p> <p>23 Plainfield.</p> <p>24 Q. And what does Marian do out of</p> <p>25 South Plainfield?</p>
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<p style="text-align: right;">Page 16</p> <p>1 P. OREZIAK</p> <p>2 A. Basically he's responsible for the</p> <p>3 overall location.</p> <p>4 Q. How many salespeople work out of</p> <p>5 the South Plainfield location?</p> <p>6 A. I guess five, six. I would say</p> <p>7 five.</p> <p>8 Q. Could you name them for me?</p> <p>9 A. We have Peter. We have Chris. We</p> <p>10 have Myron. Robert. And Julia. But she</p> <p>11 actually left the company.</p> <p>12 Q. And when did she leave the</p> <p>13 company?</p> <p>14 A. Friday.</p> <p>15 Q. Any particular reason?</p> <p>16 A. Another job I guess.</p> <p>17 Q. And does All Granite have more</p> <p>18 than one location?</p> <p>19 A. Yes.</p> <p>20 Q. How many locations do they have?</p> <p>21 A. Three.</p> <p>22 Q. And where are they located?</p> <p>23 A. Ridgefield Park, South Plainfield</p> <p>24 and Stroudsburg, Pennsylvania.</p> <p>25 Q. And have you been to each of these</p>	<p style="text-align: right;">Page 17</p> <p>1 P. OREZIAK</p> <p>2 locations?</p> <p>3 A. Yes.</p> <p>4 Q. Are the locations similar in style</p> <p>5 and layout?</p> <p>6 A. Ridgefield Park and Stroudsburg</p> <p>7 are outdoors so they have a yard. But you</p> <p>8 always have an office. You have the</p> <p>9 fabrication. You have a shop, yeah.</p> <p>10 Q. And have you only worked at the</p> <p>11 South Plainfield location or have you worked</p> <p>12 in the other location?</p> <p>13 A. I was in Ridgefield Park. For</p> <p>14 three years.</p> <p>15 Q. You worked in Ridgefield Park for</p> <p>16 three years?</p> <p>17 A. Yes. Um-hum.</p> <p>18 Q. Do you know how long the South</p> <p>19 Plainfield showroom has been in operation?</p> <p>20 A. Two years.</p> <p>21 Q. And have you been at South</p> <p>22 Plainfield that entire time?</p> <p>23 A. Yeah. The office was open about</p> <p>24 two years ago. Daniel was the first person to</p> <p>25 go over there from Ridgefield Park. And then</p>
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<p style="text-align: right;">Page 18</p> <p>1 P. OREZIAK</p> <p>2 I went about two, three weeks after the 3 opening.</p> <p>4 Q. And have you been the manager 5 since that time?</p> <p>6 A. Yes.</p> <p>7 Q. How are you compensated by All 8 Granite? Is it straight salary? Salary plus 9 commission? Or commission only?</p> <p>10 A. Salary.</p> <p>11 Q. And who is responsible for keeping 12 track of sales at the South Plainfield 13 location?</p> <p>14 A. Could you rephrase? Because...</p> <p>15 Q. We'll come back to that.</p> <p>16 Do you know if All Granite 17 provides any incentives or awards for its 18 salespeople?</p> <p>19 A. No.</p> <p>20 I mean, do I know, yes. We don't 21 have any awards for salespeople.</p> <p>22 Q. Can you walk me through a typical 23 transaction in the South Plainfield store from 24 the customer entering the store to getting an 25 estimate or purchasing a countertop?</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 19</p> <p>1 P. OREZIAK</p> <p>2 A. Sure.</p> <p>3 The customer walks in. One of the 4 sales representatives walks up to the 5 customer. The first question basically is how 6 can we help you and how did you hear about us. 7 Usually the customer takes a couple minutes to 8 look at the sample board. Then they sit down 9 by a desk or they could sit down by a desk 10 with a salesperson right away. And they take 11 the time to provide us with the measurements. 12 The salesperson gathers the information, puts 13 everything into the database. After a couple 14 minutes once the estimate is done, they go 15 outside to take a look at the slabs. And 16 depending on the customer and what type of 17 colors they're looking for, we try to help 18 them out as much as possible to have the color 19 of the stone match the cabinets and so on.</p> <p>20 Q. Okay. How many customers on an 21 average day, average weekday, let's say, do 22 you think you would assist?</p> <p>23 A. A regular salesperson or myself?</p> <p>24 Q. Let's talk about you, for example.</p> <p>25 Personally.</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>
<p style="text-align: right;">Page 20</p> <p>1 P. OREZIAK</p> <p>2 A. In person? Because I talk to a 3 lot of person over the phone.</p> <p>4 Q. In person.</p> <p>5 A. In person, ten.</p> <p>6 Q. And would you think that would be 7 the average for your sales staff as well or is 8 it not?</p> <p>9 A. You could say that, yeah.</p> <p>10 Q. And on a weekend?</p> <p>11 A. On the weekend it's much more.</p> <p>12 Q. Approximately how many would you 13 say?</p> <p>14 A. Well, for example, this Saturday I 15 mean, it was plenty of customers. So even -- 16 I don't know, even 30, 40, 50 per person. 17 Saturday is the busiest day so there's a lot 18 of customers that come in.</p> <p>19 Q. I understand you're not open on 20 Sunday?</p> <p>21 A. No.</p> <p>22 Q. Can you give me a percentage, to 23 the best of your knowledge, of the percentage 24 of customers who actually end up purchasing a 25 countertop from All Granite that you speak to?</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 21</p> <p>1 P. OREZIAK</p> <p>2 A. I don't have an exact number but 3 it's fairly good.</p> <p>4 Q. A pretty high percentage?</p> <p>5 A. Pretty high percentage.</p> <p>6 Q. More than half?</p> <p>7 A. I would say more than half.</p> <p>8 Q. And do customers that come into 9 the All Granite South Plainfield location, are 10 they typically educated consumers with respect 11 to what they're looking for?</p> <p>12 A. Not always. Sometimes.</p> <p>13 Q. Is it less often that someone 14 knows what they're looking for or is it more 15 often --</p> <p>16 A. Actually, less often. A lot of 17 times we have private homeowners that come in 18 and they're doing this for the first time.</p> <p>19 Q. So what percentage of your 20 business would you say -- or in South 21 Plainfield, at least, are made up of small 22 homeowners who are looking to do a job 23 themselves or with your assistance?</p> <p>24 A. I don't have the exact number.</p> <p>25 Guessing? Seventy percent.</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>

<p style="text-align: right;">Page 22</p> <p>1 P. OREZIAK</p> <p>2 Q. And so would it be fair to say 3 that there's another portion of the business 4 that's dealing with contractors?</p> <p>5 A. Yes.</p> <p>6 Q. And would that be -- would that 7 account for the remainder of the business that 8 you do at South Plainfield?</p> <p>9 A. Contractors. Designers. Yes.</p> <p>10 Q. And in addition to kitchen 11 countertops you say you do fireplace 12 surrounds. And do you do bathrooms as well?</p> <p>13 A. Bathroom vanities, tub surrounds, 14 saddles. We have miscellaneous in the 15 bathrooms. For example, like surrounding for 16 the shower.</p> <p>17 Q. Um-hum. And between those 18 different categories, what would you say is 19 the most popular service?</p> <p>20 A. Kitchen counters and bathroom 21 vanities.</p> <p>22 Q. And between kitchen countertops 23 and bathroom vanities which one is more 24 popular?</p> <p>25 A. I would say 50/50.</p> <p>TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 23</p> <p>1 P. OREZIAK</p> <p>2 Q. On average, and to the best of 3 your knowledge, how many kitchen countertop 4 installations would you say that the South 5 Plainfield location does in a week?</p> <p>6 A. Average, 60.</p> <p>7 Q. Is that roughly ten a day or so?</p> <p>8 A. Yes.</p> <p>9 Q. And could it be higher than that?</p> <p>10 A. Well, it depends on the season, 11 yeah. It could be lower, could be higher.</p> <p>12 Q. And to the best of your knowledge, 13 how many of those kitchen countertop 14 installations would you say include the 15 installation of a sink provided by All 16 Granite?</p> <p>17 A. You could say 50/50 or maybe 18 60/40. So a lot of times customers have their 19 own sinks.</p> <p>20 Q. When you say 60/40 is it 60 --</p> <p>21 A. Sixty customer sinks, 40 our 22 sinks.</p> <p>23 Q. So just based on those numbers 24 we're talking about approximately, say, about 25 30 All Granite sink installations per week?</p> <p>TSG Reporting - Worldwide 877-702-9580</p>
<p style="text-align: right;">Page 24</p> <p>1 P. OREZIAK</p> <p>2 A. Maybe.</p> <p>3 Q. Does that seem like too much, too 4 little or --</p> <p>5 A. I mean, I wasn't doing the math if 6 that's what you're asking.</p> <p>7 Q. Well, no. I'm just -- just going 8 off the numbers that you related, if you're 9 doing 60 installations a week and about half 10 of those include All Granite sinks we're 11 talking about half of that is about 30 a week, 12 correct?</p> <p>13 A. You could say that.</p> <p>14 Q. Do you know how many sinks All 15 Granite keeps in inventory in the South 16 Plainfield location?</p> <p>17 A. More than 20. Twenty something.</p> <p>18 Q. Twenty individual sinks?</p> <p>19 A. Yeah.</p> <p>20 Q. Do you know how these sinks are 21 kept?</p> <p>22 A. They're on display basically. We 23 have one each on display throughout the 24 showroom.</p> <p>25 Q. And in inventory, do you know how</p> <p>TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 25</p> <p>1 P. OREZIAK</p> <p>2 they're kept in inventory?</p> <p>3 A. They're stacked in the back.</p> <p>4 Q. And how many would you say are 5 stacked in the back?</p> <p>6 A. I don't know.</p> <p>7 Q. Is it hundreds? Thousands?</p> <p>8 A. I don't know. Maybe around a 9 hundred. I'm not quite sure. I don't have 10 the exact number.</p> <p>11 Q. Do you know who would have that 12 number?</p> <p>13 A. Probably the import manager.</p> <p>14 Q. And who is that?</p> <p>15 A. Well, it would be either --</p> <p>16 because we have Blaze in South Plainfield. Or 17 maybe Martin. One of them buys the sinks. I 18 don't know.</p> <p>19 Q. So you're not -- are you then not 20 responsible for maintaining the inventory of 21 the sinks in the South Plainfield location?</p> <p>22 A. Yes. I'm not responsible.</p> <p>23 Q. Do you know how the -- strike 24 that.</p> <p>25 Are you involved at all in the</p> <p>TSG Reporting - Worldwide 877-702-9580</p>

<p style="text-align: right;">Page 26</p> <p>1 P. OREZIAK 2 intake of sinks into inventory at South 3 Plainfield? 4 A. No. 5 Q. Do you know how they are received 6 by South Plainfield? 7 A. Trucks. 8 Q. And how are they shipped? Do they 9 come in cardboard packaging? 10 A. I think it's cardboard and pallets 11 I guess. 12 Q. And is there one sink per 13 cardboard package, if you know? 14 A. Not sure. 15 Q. And where -- I know you said that 16 the warehouse is connected to the showroom 17 facility in South Plainfield; is that correct? 18 A. No. 19 Q. It's not? 20 A. No. 21 Q. Where is it? 22 A. I mean, is it in South Plainfield, 23 yes. But it's not connected. 24 Q. How do you get -- 25 A. We have the showroom. We have the</p>	<p style="text-align: right;">Page 27</p> <p>1 P. OREZIAK 2 entire warehouse where we have the slabs and 3 in the back you have the sinks. 4 Q. Okay. So the warehouse where the 5 slabs are, is that connected to the showroom? 6 A. It's right next to it, yes. 7 Q. Is there -- do you have to go 8 outside to get into the warehouse from the 9 showroom? 10 A. Yes. 11 Q. And how do you get outside? 12 A. Well, no. You can go through the 13 office. Through the showroom. Yes. 14 Q. And so just so I know, there's the 15 showroom and then there's doors to the 16 warehouse; is that correct? 17 A. Yes. 18 Q. And then in the warehouse there 19 are the slabs of granite? 20 A. Yes. 21 Q. And then where in that warehouse 22 would the sinks be kept? 23 A. I mean, in inventory or the ones 24 on display? 25 Q. The ones in inventory.</p>
<p>TSG Reporting - Worldwide 877-702-9580</p> <p style="text-align: right;">Page 28</p> <p>1 P. OREZIAK 2 A. It's in the back. 3 Q. It's in the back? 4 A. Yeah. 5 Q. And what about the ones on 6 display, where are those kept? 7 A. There's a small nook, you could 8 say, where we have -- where you walk out from 9 the showroom into the warehouse. There's a 10 small area where we have the sinks. And then 11 we have the sinks on the other side of the 12 showroom. 13 Q. I'm sorry. Is that two different 14 areas or one area? 15 A. You could say two different areas. 16 Q. Okay. And are both of these 17 areas -- I mean, are kitchen sinks located in 18 both of these areas? 19 A. No. Well, yes. 20 I mean no. We have one area where 21 we have the stainless steel sinks and ceramic 22 for kitchen and bath, and then the other area 23 has granite, marble, limestone sinks. That's 24 for bathrooms. 25 Q. Have you provided any training to</p>	<p style="text-align: right;">Page 29</p> <p>1 P. OREZIAK 2 the salespeople who work at the South 3 Plainfield location? 4 A. Yes. 5 Q. And what kind of training do you 6 provide? 7 A. Customer service from their first 8 visit explaining the process, helping with the 9 colors, providing estimates. 10 Q. Do you also train them on how to 11 use the computer? 12 A. They should know the basic -- I 13 mean, yeah, we train them in regards to using 14 our database, yes. 15 Q. Do you provide any specific 16 training with respect to the sinks that are 17 offered by All Granite? 18 A. No. 19 Q. Do you tell them anything about 20 the sinks that are offered by All Granite? 21 A. Just the sinks that we have on 22 display over here and that they come free as a 23 gift. 24 Q. And that's the extent of all the 25 training that you provide?</p>

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<p style="text-align: right;">Page 30</p> <p>1 P. OREZIAK</p> <p>2 A. Pretty much.</p> <p>3 Q. How many types of stainless steel</p> <p>4 kitchen sinks does All Granite offer?</p> <p>5 A. Three.</p> <p>6 Q. And how are those known to</p> <p>7 salespeople or to yourself?</p> <p>8 A. We have two single bowl sinks,</p> <p>9 either D-shaped or rectangular. And we have a</p> <p>10 double bowl sink.</p> <p>11 Q. Do you know who manufactures these</p> <p>12 sinks?</p> <p>13 A. No.</p> <p>14 Q. Has a customer ever asked you who</p> <p>15 manufactures these sinks?</p> <p>16 A. Yes.</p> <p>17 Q. And what have you told them?</p> <p>18 A. That they're no brand. And we</p> <p>19 don't know the manufacturer. Or that they're</p> <p>20 our sinks that come free.</p> <p>21 Q. So you've told people both things</p> <p>22 or one more than the other?</p> <p>23 A. It's hard to say. I mean, usually</p> <p>24 we say it's no brand. It's ours.</p> <p>25 Q. And if someone asks about the</p> <p>TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 31</p> <p>1 P. OREZIAK</p> <p>2 specifications regarding the sinks, what do</p> <p>3 you tell them?</p> <p>4 A. Well, specifically, I mean, that's</p> <p>5 something that the technician actually tells</p> <p>6 the -- we just have to -- when we come to the</p> <p>7 job site to measure, the technician goes over</p> <p>8 all the details. When they come to the</p> <p>9 showroom nobody asks about the specifications.</p> <p>10 Q. So no one would ask, for example,</p> <p>11 whether a sink that is made available by All</p> <p>12 Granite is a 16 gauge or an 18 gauge sink?</p> <p>13 A. They might ask that, yes. So</p> <p>14 that's basically maybe one of the questions.</p> <p>15 Q. And what do you personally tell --</p> <p>16 well, sorry. Let me strike that.</p> <p>17 Have you ever had that question</p> <p>18 directed to you?</p> <p>19 A. Yes.</p> <p>20 Q. And what have you told them --</p> <p>21 A. Seventeen gauge.</p> <p>22 Q. Seventeen gauge?</p> <p>23 A. Um-hum.</p> <p>24 Q. And what is that based upon?</p> <p>25 A. What I was told.</p> <p>TSG Reporting - Worldwide 877-702-9580</p>
<p style="text-align: right;">Page 32</p> <p>1 P. OREZIAK</p> <p>2 Q. And who told you that it was a 17</p> <p>3 gauge sink?</p> <p>4 A. I believe it was Blaze.</p> <p>5 Q. I'm sorry. And you said Blaze</p> <p>6 handles -- he's the import manager for the</p> <p>7 South Plainfield location?</p> <p>8 A. You could say that.</p> <p>9 Q. Does he have any other</p> <p>10 responsibilities?</p> <p>11 A. Right now he also takes care of</p> <p>12 our on-line store.</p> <p>13 Q. And Blaze works out of the South</p> <p>14 Plainfield location?</p> <p>15 A. Yes.</p> <p>16 Q. Do you recall when Blaze told you</p> <p>17 that the sinks offered by All Granite were 17</p> <p>18 gauge sinks?</p> <p>19 A. Not exactly, no.</p> <p>20 Q. Was it in the last six months or</p> <p>21 last year or some time prior to that?</p> <p>22 A. I think prior, maybe.</p> <p>23 Q. In the -- I think it was five and</p> <p>24 a half years that you worked for --</p> <p>25 A. Um-hum.</p> <p>TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 33</p> <p>1 P. OREZIAK</p> <p>2 Q. Has All Granite always in that</p> <p>3 period offered free sinks to consumers?</p> <p>4 A. Yes.</p> <p>5 Q. And do you recall if during that</p> <p>6 period All Granite ever offered any branded</p> <p>7 sinks to consumers?</p> <p>8 A. Yes.</p> <p>9 Q. And what brands do you recall</p> <p>10 being offered by All Granite?</p> <p>11 A. From what I remember from</p> <p>12 Ridgefield Park I believe we used to have</p> <p>13 Artisan sinks.</p> <p>14 Q. Any other brands?</p> <p>15 A. I don't know.</p> <p>16 Q. Do you recall any other brands?</p> <p>17 A. I don't recall any other brands.</p> <p>18 Q. And, again, doing the math, when</p> <p>19 you said you were -- I believe you said you</p> <p>20 were at Ridgefield Park three years ago, at</p> <p>21 least?</p> <p>22 A. I was -- well, two and a half</p> <p>23 years ago.</p> <p>24 Q. Two and a half years ago.</p> <p>25 When you left Ridgefield Park, do</p> <p>TSG Reporting - Worldwide 877-702-9580</p>

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1 P. OREZIAK
 2 you recall if Artisan sinks were still being
 3 offered by All Granite?
 4 A. I don't know. I don't recall.
 5 Q. Do you recall -- when you say that
 6 All Granite was offering Artisan sinks do you
 7 know if they were giving these sinks away as
 8 part of a promotion for free or if they were
 9 charging money for the sinks?
 10 A. It's always been free.
 11 Q. And while at Ridgefield Park and
 12 offering Artisan sinks, did you receive any
 13 training with respect to Artisan sinks?
 14 A. No.
 15 Q. And since you've been at South
 16 Plainfield, are you aware if All Granite has
 17 continued to offer Artisan sinks?
 18 A. No.
 19 Q. And other than what Blaze told you
 20 do you have any independent knowledge with
 21 respect to the gauge of the sinks that All
 22 Granite offers?
 23 A. No.
 24 Q. So as far as you know they're 17
 25 gauge sinks; is that correct?

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1 P. OREZIAK
 2 A. Yes.
 3 Q. And have you told consumers that
 4 they are 17 gauge sinks?
 5 A. Yes.
 6 Q. Do you recall ever, while at
 7 Ridgefield Park, actually completing an order
 8 for a customer whereby an Artisan sink was
 9 actually going to be installed in their home?
 10 A. Could you repeat that question?
 11 Q. While you were working at
 12 Ridgefield Park and while All Granite was
 13 offering Artisan sinks, do you recall ever
 14 being involved in a project or a sale where an
 15 Artisan sink was actually going to be
 16 installed in a consumer's home?
 17 A. I don't recall.
 18 Q. Do customers ever come to the
 19 South Plainfield location of All Granite and
 20 ask for a particular brand of sink?
 21 A. No.
 22 Q. Have you ever told any of the
 23 other salespeople that work at the South
 24 Plainfield location that the sinks offered by
 25 All Granite are 17 gauge sinks?

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1 P. OREZIAK
 2 A. Yes. I could have.
 3 Q. Do you recall if you ever told any
 4 of them that they were 16 gauge sinks?
 5 A. I don't recall.
 6 Q. Have you ever told a consumer that
 7 the sinks offered by All Granite were 16 gauge
 8 sinks?
 9 A. No.
 10 Q. I show you what's previously been
 11 marked as Defendant's Exhibit 70 which is a
 12 collection of documents produced by All
 13 Granite Marble which consist of various
 14 advertisements from the Clipper Magazine --
 15 A. Um-hum.
 16 Q. -- for All Granite & Marble.
 17 Mr. Oreziak, if you could look at
 18 the second page of this exhibit.
 19 A. Um-hum.
 20 Q. And could you tell me if you've
 21 ever seen this document before? Or a document
 22 like it.
 23 A. Yeah, I think I've seen this.
 24 Q. And what is this document?
 25 A. It's just a coupon from the

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1 P. OREZIAK
 2 Clipper Magazine. That's it.
 3 Q. And there's a coupon portion at
 4 the bottom of this page; is that correct?
 5 A. Um-hum, yes.
 6 Q. And what is that coupon used for?
 7 A. To get the free sink and a free
 8 cleaner with it.
 9 Q. And is it required -- sorry,
 10 strike that.
 11 Are consumers who are seeking to
 12 have a free sink installed with their
 13 countertop installation required to present
 14 this coupon at the South Plainfield location?
 15 A. Not necessarily.
 16 Q. Can you explain what that means?
 17 A. Well, as long as they say they saw
 18 the coupon in the Clipper Magazine we just
 19 give them the sink for free.
 20 Q. So there's no requirement that
 21 they actually present the coupon; is that
 22 correct?
 23 A. No.
 24 Q. If a consumer does present the
 25 coupon what did you do with it?

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<p style="text-align: right;">Page 38</p> <p>1 P. OREZIAK</p> <p>2 A. Basically take it and give the 3 sink for free.</p> <p>4 Q. Is anything done with the coupon? 5 Do you save it? Do you pass it on to Robert? 6 Something else?</p> <p>7 A. I don't think it's actually saved. 8 Q. And if a customer doesn't have the 9 coupon and doesn't mention that they saw the 10 ad, do they then have to pay for the sink? 11 A. No, they never pay for the sink. 12 We have a promotion going on all the time. 13 Q. So if I'm a consumer and I come in 14 and say I want my countertops installed, can 15 you throw in a sink -- 16 A. No problem. 17 Q. -- and I don't mention the Clipper 18 ad or I don't give the coupon? 19 A. No. 20 Q. It's not a problem? 21 A. No. 22 Q. Did you ever tell consumers that 23 they need to present the coupon in order to 24 get the free sink? 25 A. Me personally, no. Sometimes we</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 39</p> <p>1 P. OREZIAK</p> <p>2 say just give the coupon to the technician 3 that comes to your house and measures. But if 4 they don't it's not a problem.</p> <p>5 Q. You mentioned the technicians a 6 couple of times this morning. Do you know if 7 they are aware of the specifications of the 8 sinks that All Granite provides?</p> <p>9 A. Just the sizes.</p> <p>10 Q. If you look at this coupon it says 11 All sinks free. And then \$360 to \$540 value. 12 Do you see that?</p> <p>13 A. Um-hum.</p> <p>14 Q. Do you know what those values are 15 based on?</p> <p>16 A. I guess that's the price of a 17 regular stainless steel sink in a store.</p> <p>18 Q. And do you know if All Granite's 19 ever sold any sinks for \$360?</p> <p>20 A. We never sell any sinks.</p> <p>21 Q. Do you know if All Granite has 22 advertised any sinks for \$360? For sale.</p> <p>23 A. No.</p> <p>24 Q. And do you know if All Granite's 25 ever sold sinks for \$540?</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>
<p style="text-align: right;">Page 40</p> <p>1 P. OREZIAK</p> <p>2 A. No.</p> <p>3 Q. Do you know how much the cost -- 4 I'm sorry.</p> <p>5 Do you know how much the sinks 6 that All Granite provides to consumers cost?</p> <p>7 A. No.</p> <p>8 Q. Who would know that? If you know.</p> <p>9 A. Maybe Blaze or Martin. I'm not 10 quite sure.</p> <p>11 Q. Has a consumer ever asked you 12 about the values that are listed in this 13 coupon?</p> <p>14 A. Yes.</p> <p>15 Q. And what do you tell them?</p> <p>16 A. Same thing. This is the cost of 17 the sink in the store. That's how much you 18 would have to pay for the sink if you were to 19 buy it someplace.</p> <p>20 Q. But does All Granite offer its 21 sinks in stores?</p> <p>22 A. No.</p> <p>23 Q. And so do you know what the basis 24 of the comparison is?</p> <p>25 A. No.</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 41</p> <p>1 P. OREZIAK</p> <p>2 Q. And in your five and a half years 3 at All Granite, have you ever charged a 4 customer for a sink?</p> <p>5 A. No.</p> <p>6 Q. Are any records kept with respect 7 to sink installations?</p> <p>8 A. I don't think so. I don't know.</p> <p>9 Q. And how would you know if a sink 10 is to be included in the countertop 11 insulation?</p> <p>12 A. Well, that's something that the 13 technician confirms. I mean, to us, in the 14 office it doesn't -- you know, we don't keep 15 track of anything.</p> <p>16 Q. So once -- if you just take me 17 back and tell me what is your final 18 involvement in a sale of a countertop.</p> <p>19 A. Well, once I get the drawings from 20 the technician, I go over all the 21 measurements, make sure everything is priced 22 out correctly. I confirm the color, the edge 23 with the customer.</p> <p>24 Q. And do you confirm the fact that a 25 sink is going to be installed or not?</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>

<p style="text-align: right;">Page 42</p> <p>1 P. OREZIAK</p> <p>2 A. Well, since the sinks are for 3 free, I mean, I don't really ask about the 4 sinks.</p> <p>5 Q. And so is it noted anywhere on the 6 invoices or any of the documents that you 7 create that a sink is to be installed?</p> <p>8 A. It should be on the template.</p> <p>9 Q. So how would the -- the technician 10 is the person who goes to install the sink; is 11 that correct? Or I'm sorry. Install the 12 countertop.</p> <p>13 A. No, he measures.</p> <p>14 Well, it depends. Some guys that 15 measure actually install. We have a couple 16 guys that only do the templates. They don't 17 install.</p> <p>18 Q. And is a template a full-sized 19 cutout or a piece of paper or something else?</p> <p>20 A. Well, it depends. Well, the 21 template for the sink -- if the customer has 22 their own sink, we either bring the template 23 which is out of paper or we actually bring the 24 actual sink from the customer. If it's one of 25 our sinks he just makes a note on the</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 43</p> <p>1 P. OREZIAK</p> <p>2 template. That's it.</p> <p>3 Q. And with -- I mean, the template 4 is a large document? Is that what's actually 5 used?</p> <p>6 A. It's pretty big, yeah. It's the 7 actual shape and size of the future 8 countertop.</p> <p>9 Q. And are those kept or maintained 10 anywhere?</p> <p>11 A. Yeah. We have a place where we 12 put them up on the side.</p> <p>13 Q. And do you know if those are ever 14 discarded or destroyed?</p> <p>15 A. Yeah, they are destroyed.</p> <p>16 Q. Do you know how often?</p> <p>17 A. A couple days after installation 18 takes place.</p> <p>19 Q. And with respect to the people 20 that go and actually install the countertop in 21 the customer's home, how do they know to bring 22 one of the All Granite sinks with them to the 23 installation?</p> <p>24 A. It's on the template.</p> <p>25 Q. Mr. Oreziak, we mentioned already</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>
<p style="text-align: right;">Page 44</p> <p>1 P. OREZIAK</p> <p>2 this morning Artisan sinks. And I take it 3 you've heard of Artisan sinks?</p> <p>4 A. I've heard of it.</p> <p>5 Q. And how did you hear about them?</p> <p>6 A. Because we used to have them in 7 Ridgefield Park. That's the first time I 8 heard that name.</p> <p>9 Q. Do you know if Artisan sinks were 10 available at Ridgefield when you started 11 working there?</p> <p>12 A. I don't recall.</p> <p>13 Q. Do you recall ever meeting anyone 14 from Artisan sinks?</p> <p>15 A. No.</p> <p>16 Q. And what is your knowledge 17 concerning Artisan sinks?</p> <p>18 A. Not much. Just that they offer 19 standard, every-day sinks.</p> <p>20 Q. And when you were working at 21 Ridgefield Park did you receive any product 22 training with respect to Artisan sinks?</p> <p>23 A. No.</p> <p>24 Q. Were you aware that an Artisan 25 sink was on display in the South Plainfield</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 45</p> <p>1 P. OREZIAK</p> <p>2 showroom up until early January?</p> <p>3 A. No.</p> <p>4 Q. So the sinks that were on display 5 in South Plainfield up until early January 6 were all All Granite sinks as far as you knew?</p> <p>7 A. As far as I knew, yes.</p> <p>8 Q. Did there come to be a time when 9 you learned that an Artisan sink was on 10 display in South Plainfield?</p> <p>11 A. Yes. When this whole situation 12 with the lawsuit came up.</p> <p>13 Q. And who told you that an Artisan 14 sink was on display at South Plainfield?</p> <p>15 A. I believe that was Robert.</p> <p>16 Q. Do you recall when that was?</p> <p>17 A. No.</p> <p>18 Q. Do you recall what was done with 19 the sink that was on display?</p> <p>20 A. It was removed. It was taken off.</p> <p>21 Q. Do you recall when that was?</p> <p>22 A. Don't have the exact date, no.</p> <p>23 Q. Do you know what was done with the 24 sink after it was removed?</p> <p>25 A. No.</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>

<p style="text-align: right;">Page 46</p> <p>1 P. OREZIAK 2 Q. Have you seen it around the South 3 Plainfield showroom? 4 A. No. 5 Q. Do you know who was responsible 6 for the removal? 7 A. Some guys from the back. 8 Q. Is that technicians or -- 9 A. The guys that fabricate in the 10 shop. 11 Q. And was Robert -- do you recall if 12 Robert was there during the removal of the 13 sink? 14 A. I don't think he was there, no. 15 Q. Now, have you ever told a customer 16 that an Artisan sink would be installed in 17 their home? 18 A. No. 19 Q. Have you ever told a customer that 20 a 16 gauge sink would be installed in their 21 home? 22 A. No. 23 Q. Mr. Oreziak, I'd like to show you 24 what's previously been marked as Plaintiff's 25 Exhibit 1.</p>	<p style="text-align: right;">Page 47</p> <p>1 P. OREZIAK 2 I'll represent to you that this is 3 a copy of the investigator's report -- 4 A. Um-hum. 5 Q. -- that was done by a private 6 investigator hired by Artisan to investigate 7 the sale of Artisan sinks at All Granite & 8 Marble. I'll further tell you that the 9 investigator visited All Granite & Marble on 10 locations, once on November 6th and again on 11 November 27th. She was assisted by Peter 12 Bucko and Chris respectively. 13 Have you seen this document 14 before? 15 A. No. 16 Q. Have you heard about the 17 investigation? 18 A. Yes. 19 Q. And who did you hear about that 20 from? 21 A. Robert. 22 Q. If you look at the second page of 23 the document, the first paragraph -- actually, 24 I'm sorry. Let's go back to the first page. 25 I'm sorry.</p>
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<p style="text-align: right;">Page 48</p> <p>1 P. OREZIAK 2 The last paragraph on the first 3 page says, "The retail area is divided into 4 two rooms. The front room is approximately 5 5,000 square feet with a marble and granite 6 tile and table displays at the front and left 7 with a bank of approximately six desks along 8 the right wall." 9 Does that sound like an accurate 10 description of the front room of the All 11 Granite South Plainfield location? 12 A. There's more desks. And I think 13 it's a little less than 5,000 square feet but 14 I'm not quite sure. 15 Q. How many desks are there? 16 A. Eight, nine. 17 Q. When you say less than 5,000, are 18 you talking 2,000 -- 19 A. Over 4,000. I guess it's between 20 4- and 5,000. 21 Q. The next sentence says, "The rear 22 of the front room is a waiting area for 23 customers." 24 Would you agree with that 25 description?</p>	<p style="text-align: right;">Page 49</p> <p>1 P. OREZIAK 2 A. What exactly do they mean by rear 3 area? Is that the walk-through to the 4 warehouse? Because we have -- well, customers 5 have two seats where they can sit on the side 6 when you walk into the showroom. It's on the 7 right. 8 Q. Okay. So is there another area in 9 the rear of the front room that is also a 10 waiting area? 11 A. No. The only waiting area is 12 right by the logo on the right. 13 Q. The next sentence says, "On the 14 left wall there is a small entry to the second 15 room and bathrooms." 16 A. Yes. 17 Q. Is that an accurate description? 18 A. Um-hum. 19 Q. And "The second room has an 20 L-shaped granite countertop along the rear and 21 left wall with several sinks in various 22 designs on display." 23 A. Yes. 24 Q. Is that an accurate description? 25 A. Yes.</p>
<p>TSG Reporting - Worldwide 877-702-9580</p>	<p>TSG Reporting - Worldwide 877-702-9580</p>

<p style="text-align: right;">Page 50</p> <p>1 P. OREZIAK</p> <p>2 Q. And it goes on to say, "Each sink</p> <p>3 has a four-by-six piece of paper with a serial</p> <p>4 number and price written on it."</p> <p>5 Do you see that?</p> <p>6 A. Yes.</p> <p>7 Q. With respect to that display, do</p> <p>8 you know, has that display with the</p> <p>9 four-by-six piece of paper been consistent</p> <p>10 throughout your time at South Plainfield?</p> <p>11 A. Yes.</p> <p>12 Q. So there's always been a</p> <p>13 four-by-six piece of paper attached with a</p> <p>14 serial number and price written on it inside</p> <p>15 the sinks; is that correct?</p> <p>16 A. Yes.</p> <p>17 Q. Now, are there any other -- strike</p> <p>18 that.</p> <p>19 Does All Granite ever make</p> <p>20 available in the sink display area any handout</p> <p>21 materials or other literature?</p> <p>22 A. I think we had some printouts with</p> <p>23 the sinks before, yes.</p> <p>24 Q. And was that a printout with</p> <p>25 each -- with respect to each sink that was</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 51</p> <p>1 P. OREZIAK</p> <p>2 available?</p> <p>3 A. I think so, yes.</p> <p>4 Q. And do you recall what those look</p> <p>5 like?</p> <p>6 A. Um-hum, yes.</p> <p>7 Q. What do they look like?</p> <p>8 A. Well, one printout with the</p> <p>9 different types of sinks on top.</p> <p>10 Q. Was it one sheet or was it --</p> <p>11 A. One sheet.</p> <p>12 Q. One sheet.</p> <p>13 If you flip to what's Bates</p> <p>14 stamped as ART 027, do you see it?</p> <p>15 A. Um-hum.</p> <p>16 Q. Is this the sheet that you're</p> <p>17 referring to?</p> <p>18 A. Yes.</p> <p>19 Q. Do you recall if there have ever</p> <p>20 been any other kinds of handouts in the sink</p> <p>21 display area?</p> <p>22 A. No.</p> <p>23 Q. There have not or you don't</p> <p>24 recall?</p> <p>25 A. I don't recall.</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>
<p style="text-align: right;">Page 52</p> <p>1 P. OREZIAK</p> <p>2 Q. Okay.</p> <p>3 Do you recall if there's ever been</p> <p>4 a sheet or a poster attached to the wall in</p> <p>5 the sink display area that listed different</p> <p>6 sink styles or sink style numbers?</p> <p>7 A. No poster.</p> <p>8 Q. Any piece of paper attached to the</p> <p>9 wall?</p> <p>10 A. It could have been this on the</p> <p>11 wall (indicating.)</p> <p>12 Q. Do you know who created the</p> <p>13 document that's Bates stamped ART 027?</p> <p>14 A. This was done by one of the</p> <p>15 employees. He doesn't work there anymore.</p> <p>16 Q. Do you know what employee that</p> <p>17 was?</p> <p>18 A. His name was Kamil.</p> <p>19 Q. And do you recall when he did</p> <p>20 that?</p> <p>21 A. Oh, when we just opened the South</p> <p>22 Plainfield office.</p> <p>23 Q. So about two and a half years ago?</p> <p>24 A. Two years, um-hum.</p> <p>25 Q. Two years ago?</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 53</p> <p>1 P. OREZIAK</p> <p>2 A. Two and a half, yeah.</p> <p>3 Q. And at the time that the -- that</p> <p>4 this document was created -- step back for a</p> <p>5 second.</p> <p>6 This document lists -- is it eight</p> <p>7 different styles of sinks?</p> <p>8 A. No. Right now we have three</p> <p>9 styles.</p> <p>10 Q. But overall how many different</p> <p>11 sink styles are listed on this document?</p> <p>12 A. Eight. Seven stainless steel</p> <p>13 sinks.</p> <p>14 Q. Seven stainless steel. And one is</p> <p>15 a Kohler ceramic sink; is that correct?</p> <p>16 A. Um-hum.</p> <p>17 Q. And four of these sinks are</p> <p>18 indicated or crossed out as out of stock; is</p> <p>19 that correct?</p> <p>20 A. Yes.</p> <p>21 Q. And have those sinks been out of</p> <p>22 stock throughout your time at South Plainfield</p> <p>23 over the last two and a half years?</p> <p>24 A. Well, we never actually had these</p> <p>25 sinks. These were just sample sinks that -- I</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>

<p style="text-align: right;">Page 54</p> <p>1 P. OREZIAK 2 mean, they just didn't work. So when he 3 created this document I crossed that out. 4 That's actually my handwriting. 5 Q. So when you say you never had them 6 you never had them at South Plainfield? 7 A. We had only a couple sample sinks. 8 Q. And do you know if those sinks 9 were actually installed in customers' homes? 10 A. I think two of them were 11 installed. Two, three. Two of these were 12 installed, yes. 13 Q. Okay. Do you know which ones? 14 A. AF8400. The 80252B, the double 15 bowl sink. There are two equal bigger bowls. 16 And the 798529. 17 Q. Do you know if these sinks were 18 available while you were at Ridgefield Park? 19 A. I don't know. 20 Q. Do you know if this -- 21 A. I don't recall, no. 22 Q. Do you know if this document was 23 created specifically for South Plainfield? 24 A. Yes. Just for South Plainfield. 25 Q. Okay.</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 55</p> <p>1 P. OREZIAK 2 And do you recall if there were 3 any other versions of this document or a 4 document like it that listed different sink 5 style numbers? 6 A. Just these numbers. 7 Q. This document lists some prices. 8 For example, the 8455R says \$250 next to it. 9 Do you see that? 10 A. Um-hum. 11 Q. Do you know what that value is 12 based on? 13 A. No. 14 Q. Has a customer ever asked you 15 about that value? 16 A. If a customer ask why it's showing 17 250 we always said that that's basically the 18 value of the sink. And that's how much you're 19 getting a credit. Because basically you get 20 that sink for free. 21 Q. Now, has a customer ever asked 22 you -- or I'm sorry. Strike that. 23 Has a customer ever compared or 24 asked you about the comparison between the 25 values listed here and the values listed on</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>
<p style="text-align: right;">Page 56</p> <p>1 P. OREZIAK 2 the Clipper coupons? 3 A. I don't recall. 4 Q. Do you have any knowledge as to 5 why the values listed on the sheet and the 6 values listed in the Clipper coupon are 7 different? 8 A. No. 9 Q. Going back to the -- let's go back 10 to the second page of this exhibit. The next 11 paragraph continues, "Protocol at All Granite 12 is to pick your materials from the displays, 13 then wait in line to speak to a representative 14 sitting at the right wall of desks." 15 Do you see that? 16 A. Um-hum. 17 Q. Is that an accurate description of 18 what happens? 19 A. If it's busy, yes. 20 Q. The next sentence indicates that, 21 "AD," who's the investigator, "spoke with a 22 Peter Bucko, a male, 25 years old, thin with 23 blond hair and an Eastern European accent." 24 Would you agree that that's an 25 accurate description of Mr. Bucko?</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 57</p> <p>1 P. OREZIAK 2 A. Yes. 3 Q. "AD," the investigator, "provided 4 Mr. Bucko with the type of tile for the 5 countertop and dimensions. He printed out an 6 estimate with a cost to purchase and install 7 the countertop." 8 Based on your experience is that 9 typical procedure for a customer inquiry at 10 All Granite? 11 A. Yes. 12 Q. The next sentence says, "Mr. Bucko 13 then took AD," the investigator "and AO" who's 14 another investigator, "over to the tile 15 display to discuss pricing and about the 16 installation of sinks. Mr. Bucko, AD and AO 17 moved into the left room with the sink 18 displays. Mr. Bucko stated that a free sink 19 is provided with the installation of a 20 countertop when a coupon from the Clipper was 21 provided." 22 Is that, again, the regular 23 protocol for a consultation with a potential 24 customer at All Granite? 25 A. If they ask -- yes. But sometimes</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>

<p style="text-align: right;">Page 58</p> <p>1 P. OREZIAK</p> <p>2 the customers don't even ask for the sinks.</p> <p>3 They just go into the warehouse directly to</p> <p>4 take a look at the colors.</p> <p>5 Q. So so far has Mr. Bucko done</p> <p>6 anything wrong with respect to what's being</p> <p>7 related here?</p> <p>8 A. No.</p> <p>9 Q. And is it correct for -- was it</p> <p>10 correct for Mr. Bucko to have said that a</p> <p>11 coupon from the Clipper -- that if a coupon</p> <p>12 from the Clipper was provided a sink would be</p> <p>13 provided for free in connection with the</p> <p>14 installation of the countertop?</p> <p>15 MR. CHIODO: Objection.</p> <p>16 Mischaracterizes. You can answer.</p> <p>17 Q. You can answer.</p> <p>18 A. Okay.</p> <p>19 THE WITNESS: I should answer?</p> <p>20 MR. CHIODO: If you can answer the</p> <p>21 question.</p> <p>22 THE WITNESS: Okay.</p> <p>23 A. Well, he mentioned the Clipper but</p> <p>24 it's not necessary to actually have the coupon</p> <p>25 from the Clipper.</p> <p>TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 59</p> <p>1 P. OREZIAK</p> <p>2 Q. Continuing on, it says "Mr.</p> <p>3 Bucko..." or "...he then told the</p> <p>4 investigators about gauge and banged on two</p> <p>5 sinks to show the difference in sound."</p> <p>6 Now, have you ever seen Mr. Bucko</p> <p>7 doing such a demonstration?</p> <p>8 A. Banging on the sink?</p> <p>9 Q. Yeah.</p> <p>10 A. Yeah. Sometimes they do that.</p> <p>11 Q. Is that something you've ever</p> <p>12 done?</p> <p>13 A. No.</p> <p>14 Q. Do you know why Mr. Bucko would</p> <p>15 have banged on the sink?</p> <p>16 A. Just to show it's a good sink.</p> <p>17 Q. Do you know if Mr. Bucko was</p> <p>18 banging on the sinks to show that one was a 16</p> <p>19 gauge and one was an 18 gauge sink?</p> <p>20 A. I don't know.</p> <p>21 Q. Is that something that other</p> <p>22 salespeople besides Mr. Bucko do in the South</p> <p>23 Plainfield showroom?</p> <p>24 A. Maybe. I don't know.</p> <p>25 Q. Have you ever seen anyone else</p> <p>TSG Reporting - Worldwide 877-702-9580</p>
<p style="text-align: right;">Page 60</p> <p>1 P. OREZIAK</p> <p>2 doing it besides Mr. Bucko?</p> <p>3 A. Not really.</p> <p>4 Q. Not really or no?</p> <p>5 A. I don't recall seeing anybody</p> <p>6 else.</p> <p>7 Q. The report continues to state, "He</p> <p>8 pointed specifically to the D-shaped double</p> <p>9 sink with the serial number 8455R and a price</p> <p>10 of 250 and said it was a 16 gauge Artisan sink</p> <p>11 and they were tougher and better than other</p> <p>12 sinks on the market."</p> <p>13 Do you know why Mr. Bucko would</p> <p>14 have told the investigator that?</p> <p>15 A. He's a salesperson. I don't know.</p> <p>16 Q. With respect to the removal of</p> <p>17 what you later learned was an Artisan sink, do</p> <p>18 you know whether that sink was the sink that</p> <p>19 bore serial number 8455R?</p> <p>20 A. The 8455 reflects a double bowl</p> <p>21 sink. Not a D-shaped sink.</p> <p>22 Q. Well, is it a D-shaped double bowl</p> <p>23 or is it just a double sink?</p> <p>24 A. Well, the double bowl consists of</p> <p>25 a bigger bowl to your left which you can say</p> <p>TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 61</p> <p>1 P. OREZIAK</p> <p>2 has -- is considered a D shape and then a</p> <p>3 small bowl to the right.</p> <p>4 Q. Now, do you know if that's the</p> <p>5 sink that was removed following the initiation</p> <p>6 of this lawsuit?</p> <p>7 A. We removed the double bowl sink.</p> <p>8 Q. And is that the 8455R sink?</p> <p>9 A. Yes. Yeah.</p> <p>10 Q. When you say that Mr. Bucko was</p> <p>11 just being a salesman, what does that mean if</p> <p>12 he's telling a customer that the sink is a 16</p> <p>13 gauge Artisan sink?</p> <p>14 A. Well, he said that -- he said it's</p> <p>15 as best as any other sink so that's his job,</p> <p>16 you know.</p> <p>17 Q. Well, do you know why he would be</p> <p>18 telling a consumer specifically that it was a</p> <p>19 16 gauge Artisan sink?</p> <p>20 A. I don't think he would say that.</p> <p>21 Q. So you think that the investigator</p> <p>22 was mistaken?</p> <p>23 A. Do I think that?</p> <p>24 Q. Yes.</p> <p>25 A. Yes.</p> <p>TSG Reporting - Worldwide 877-702-9580</p>

<p style="text-align: right;">Page 62</p> <p>1 P. OREZIAK 2 Q. Have you ever heard any other 3 salespeople tell consumers that the sinks 4 available are Artisan brand sinks? 5 A. No. 6 Q. Have you ever heard any 7 salespeople tell consumers that they could 8 receive an Artisan brand sink as part of the 9 promotion? 10 A. No. 11 Q. Not even sort of being a 12 salesperson. 13 A. No. They always just say it's a 14 free sink that comes with the purchase of the 15 granite countertop. 16 Q. And if a customer asks about the 17 brand or the maker, what do they say? 18 A. It's very unlikely for customers 19 to ask about the brand, because the 20 homeowners, they're not educated. So they 21 come in, get a free sink, as soon as they hear 22 free, they don't really go in deeper figuring 23 which manufacturer the sink is coming from. 24 Q. And have you ever heard any 25 salespeople engaging in discussions with</p>	<p style="text-align: left;">Page 63</p> <p>1 P. OREZIAK 2 consumers about the gauge of the sinks that 3 are provided by All Granite? 4 A. Sometimes. Maybe somebody asks 5 about the gauge. 6 Q. And do you know what those 7 consumers are told? 8 A. They should be told 17 but I 9 can't -- I don't hear everybody who's in the 10 showroom. 11 Q. Looking at the next paragraph it 12 says, "The display sinks were exposed under 13 the countertops and the investigators observed 14 padding on the bottom sides of the Artisan 15 sink. AD observed the Artisan logo under the 16 four-by-six paper with a printed serial number 17 and price of the sink." 18 Do you see that? 19 A. Um-hum. 20 Q. With respect to her description of 21 how the sinks are displayed, is that an 22 accurate description? 23 A. Yeah, you could say that. We had 24 a piece of paper covering -- right in the back 25 of the sink.</p>
<p style="text-align: right;">Page 64</p> <p>1 P. OREZIAK 2 Q. And what was it covering? 3 A. Well, it turns out now that it was 4 covering the logo. 5 Q. Did any of the other sinks -- or 6 do any of the other sinks in the All Granite 7 showroom have logos or designs on them? 8 A. I never really paid attention. 9 Q. So as you sit here today, do you 10 know if they do or they don't? 11 A. I think some of them do have some 12 kind of logos, yeah. 13 Q. The next paragraph begins, "Mr. 14 Bucko provided AD with a sheet containing 15 eight examples of sinks, four of which were 16 out of stock. Mr. Bucko pointed to a drawing 17 of a double sink with the same serial number, 18 8455RR, as the one on display." 19 Now, based upon that description 20 do you think the investigator was provided 21 with the document that we're looking at, ART 22 00027? 23 A. I think so, yes. 24 Q. And is that normal procedure for 25 the South Plainfield showroom?</p>	<p style="text-align: left;">Page 65</p> <p>1 P. OREZIAK 2 A. Yes. 3 Q. Now, looking at the next paragraph 4 which begins, "On November 27th, 2007, 5 investigator AD went to All Granite to place 6 an order for a countertop and sink for Joe 7 Amabile under the name Susan Murray." 8 Do you see that? 9 A. Um-hum. 10 Q. The next sentence says "AD met 11 with Chris, a sales representative, to start 12 the order process." 13 And do you know who Chris is? 14 A. Yes. 15 Q. And who's Chris? 16 A. The person we discussed earlier. 17 His name is Daniel but he works under the name 18 of Chris. 19 Q. It says, "Chris is an Eastern 20 European male, 25 to 28 years old, with light 21 brown hair." 22 Do you agree with that 23 description? 24 A. Yes. 25 Q. The last sentence in that</p>
<p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: left;">TSG Reporting - Worldwide 877-702-9580</p>

<p style="text-align: right;">Page 66</p> <p>1 P. OREZIAK</p> <p>2 paragraph says, "Since All Granite does not 3 list by names but by codes, Chris suggested 4 3917R in the single bowl price category."</p> <p>5 Is it accurate to say that All 6 Granite does not list granite colors by names 7 but by codes?</p> <p>8 A. We use codes because -- yes.</p> <p>9 Q. It says then in the next</p> <p>10 paragraph, "AD supplied Chris with a drawing 11 supplied by Mr. Amabile. The drawing measured 12 35.57 square feet of material equaling 13 \$2,534.22 for the material, \$226.09 for the 14 bullnose edge, and \$150 for the sink cutout. 15 He also added a charge for sink installation 16 until AD supplied Chris with a coupon from the 17 Clipper, a coupon circular distributed by 18 mail."</p> <p>19 Do you see that?</p> <p>20 A. Yes.</p> <p>21 Q. And does that sound like a typical 22 transaction that would occur in the South 23 Plainfield location?</p> <p>24 A. No. You would never add a charge 25 for a sink.</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 67</p> <p>1 P. OREZIAK</p> <p>2 Q. Other than that, is there anything 3 that wouldn't have happened in the course of a 4 typical transaction in South Plainfield?</p> <p>5 MR. CHIODO: Objection to form.</p> <p>6 You can answer.</p> <p>7 A. No.</p> <p>8 Q. Moving down a couple of sentences, 9 "After the investigator asks what kind of 10 Chris..." I'm sorry, "...what kind of sink it 11 would be, Chris said that there was a display 12 in the rear AD could choose from. AD asked 13 more specifically what brand of sink and that 14 on the previous visit AD was told of the 15 Artisan sinks. Chris confirmed that an 16 Artisan sink could be installed."</p> <p>17 Do you see that?</p> <p>18 A. Where exactly is that on the --</p> <p>19 Q. It's sort of the middle of the 20 paragraph. The top paragraph.</p> <p>21 A. Um-hum.</p> <p>22 Q. Do you see that?</p> <p>23 A. Um-hum.</p> <p>24 Q. Are you aware of any salespeople 25 ever confirming to consumers that they could</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>
<p style="text-align: right;">Page 68</p> <p>1 P. OREZIAK</p> <p>2 receive Artisan sinks installed in their homes 3 from All Granite?</p> <p>4 A. Could you rephrase that question?</p> <p>5 Q. Are you aware of All Granite in 6 South Plainfield ever confirming to consumers 7 that they could receive an Artisan sink 8 installed in their home?</p> <p>9 A. No.</p> <p>10 Q. Do you know why Chris would tell 11 the investigator that the sink installed in 12 her home would be an Artisan sink?</p> <p>13 MR. CHIODO: Objection.</p> <p>14 Mischaracterizes.</p> <p>15 A. No. No.</p> <p>16 Q. Do you believe that the 17 investigator is mistaken with respect to that?</p> <p>18 A. I don't know.</p> <p>19 Q. Is it possible that Chris would 20 have told the investigator that?</p> <p>21 A. Maybe. I can't answer for him.</p> <p>22 MR. MALTBIE: I'd like to have 23 this marked as Plaintiff's Exhibit 6. 24 (Plaintiff's Exhibit 6, document 25 bearing production numbers AGM 0049</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 69</p> <p>1 P. OREZIAK</p> <p>2 through AGM 0053, marked for 3 identification as of this date.)</p> <p>4 BY MR. MALTBIE:</p> <p>5 Q. Take a look at what's been marked 6 as Plaintiff's Exhibit 6 which is a document 7 produced by All Granite bearing Bates stamp 8 numbers AGM 0049 through AGM 0053.</p> <p>9 And, Mr. Oreziak, I'll represent 10 to you that this is the -- these are the 11 documents that were produced to Artisan with 12 respect to the order that was placed by the 13 private investigator on November 27th, 2007.</p> <p>14 If you could just take me through 15 this document and first just tell me are these 16 the type of documents that are kept with 17 respect to each installation of the sink by 18 All Granite?</p> <p>19 A. You could say that.</p> <p>20 Q. And what are -- looking at the 21 first page, AGM 0049, could you tell me what 22 this document is?</p> <p>23 A. This is the standard estimate a 24 customer receives from us.</p> <p>25 Q. And --</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>

<p style="text-align: right;">Page 70</p> <p>P. OREZIAK</p> <p>A. Showing the different price categories and so on.</p> <p>Q. And is this something that a customer would receive upon coming in to or talking to a salesperson at All Granite?</p> <p>A. Yes, um-hum.</p> <p>Q. There's an estimate ID number, 58015.</p> <p>A. Um-hum.</p> <p>Q. Is it correct to say then that each estimate is assigned its own unique ID number?</p> <p>A. Yes.</p> <p>Q. And do you know if all these estimates are kept in the All Granite computer system?</p> <p>A. Estimates, yes.</p> <p>Q. Do you know how long they're kept for?</p> <p>A. No.</p> <p>Q. Do you know if estimates are kept for any marketing reasons?</p> <p>A. Don't know.</p> <p>Q. To the right of the estimate ID</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 71</p> <p>P. OREZIAK</p> <p>number, there are two lines; ones says Created By and the other one says Last Corrected By. Can you tell me what those two lines mean?</p> <p>A. Created by means the person who actually opened the estimate. Last corrected by, sometimes customers can call in and say they have more exact measurements, could you just please revise the estimate. So then if the person does that, it's going to show who corrected the estimate.</p> <p>Q. So this document in particular indicates that Peter Bucko created the estimate on 11/27/2007; is that correct?</p> <p>A. Yes.</p> <p>Q. And then it says Last Created By Sebastian Kruszewski on January 7, 2008.</p> <p>A. Yes.</p> <p>Q. Who is Sebastian Kruszewski?</p> <p>A. That's a salesperson from the Ridgefield Park office.</p> <p>Q. Okay.</p> <p>And is it common for someone from Ridgefield Park to correct an estimate that</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>
<p style="text-align: right;">Page 72</p> <p>P. OREZIAK</p> <p>was created in South Plainfield?</p> <p>A. No.</p> <p>Q. Do you know why Mr. Kruszewski was correcting this or -- or correcting this estimate?</p> <p>A. Well, to be honest, the database -- sometimes if he just goes on the estimate for whatever reason, it's going to save him, even if you didn't make any changes to it.</p> <p>Q. So --</p> <p>A. So the last corrected by, that's inc -- I mean, it doesn't show exactly if there were they changes in this situation.</p> <p>Q. So are you saying that all this really indicates is that the Sebastian Kruszewski accessed the estimate on January --</p> <p>A. Yes.</p> <p>Q. -- 7, 2008?</p> <p>A. Yes.</p> <p>Q. But there's no way of knowing whether any changes were made to that; is that correct?</p> <p>A. Well, the customer receives the</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>	<p style="text-align: right;">Page 73</p> <p>P. OREZIAK</p> <p>estimate. So they have the original copy so they can always bring it and we can compare it if there are any changes.</p> <p>Q. And then looking at the second page of this document, could you tell me what this is? If you know.</p> <p>A. The layout the customer provides us with to get an estimate.</p> <p>Q. Is it typical that most customers would bring their own layouts in order to get an estimate?</p> <p>A. Sometimes, yes.</p> <p>Q. And looking at the third page which is AGM 0051, could you tell me what this document is?</p> <p>A. This is the production print. This is what I print out and give to the cutter so that they can start fabricating showing the color and the edge.</p> <p>Q. Now, at the top there's an entry for template or name.</p> <p>A. Yes.</p> <p>Q. Do you see that?</p> <p>A. Um-hum.</p> <p style="text-align: right;">TSG Reporting - Worldwide 877-702-9580</p>